

DEPARTMENT OF ENVIRONMENT AND CONSERVATION –
Recreation Educational Services Division LWCF/LPRF/NRTF/RTP



NOTICE OF LIMITATION OF USE

FOR LWCF:

The property identified in the attached general warranty deed has been acquired or developed with federal financial assistance provided by the National Park Service of the Department of the Interior in accordance with the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-5 et seq. (1970 ed.). Pursuant to a requirement of that law, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale, or in any other manner) without the express written approval of the Secretary of the Interior. By law, the Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he or she deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location.

FOR LPRF:

The property identified in the attached general warranty deed has been acquired or developed with state financial assistance provided by the Local Parks and Recreation Fund (LPRF) pursuant to TCA 67-4-409. This property may not be converted to other than public recreation uses (whether by transfer or any other means) without the express written approval of the Commissioner of the Tennessee Department of Environment and Conservation, the Commissioner of the Department of Agriculture, and the Executive Director of the Tennessee Wildlife Resources Agency.

FOR NRTF:

The property identified in the attached general warranty deed has been acquired or developed with state financial assistance provided by the Natural Resources Trust Fund (NRTF) pursuant to TCA 11-14-304. This property may not be converted to other than public recreation uses (whether by transfer or any other means) without the express written approval of the Commissioner of the Tennessee Department of Environment and Conservation.

FOR RTP:

If the public property identified in the attached general warranty deed has been acquired or developed with federal Transportation Equity Act of the 21st Century (TEA-21) Recreation Trails Program (RTP) assistance through the Federal Highway Administration (FHWA). In accordance with this act, the state may decide to protect this project under 6(f)(3) of the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. 4601-5 et seq. (1970 ed.). Pursuant to a requirement of that law, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale, or in any other manner) without the express written approval of the Secretary of the Interior. By law, the Secretary shall approve such conversion only if he finds it to be in accord with the existing comprehensive statewide outdoor recreation plan and only upon such conditions as he or she deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location. If a project is located on private lands that may include an easement or lease, the state requires a twenty-five year minimum commitment for public use.

Authorized Signature (usually Mayor or Agency Director if State or Federal Application)

Printed Name and Title

Applicant

Address

Phone Number

Date

ENVIRONMENTAL CLEARANCE

The potential environmental impact of proposed construction and rehabilitation is a serious concern. This grant-aid program requires that all recipients of funding comply with the conditions of the National Environmental Policy Act (NEPA) prior to and during construction activities.

Letters of clearance or compliance with Federal environmental laws must be obtained by the project applicant for each project and submitted with the project application by the application deadline. Letters must be obtained from each of the applicable agencies below:

Required for LWCF and RTP Applications

Tennessee Historical Commission

ATTN: Mr. Herb Harper
Clover Bottom Mansion
2941 Lebanon Road
Nashville, TN 37243-0442
Contact: Dr. Joe Garrison
615/532-1550, extension 103

U.S. Fish & Wildlife Service

ATTN: Dr. Lee Barclay
446 Neal Street
Cookeville, TN 38501
931-528-6481

Required for All Applications Near or Involving a Waterway

For Middle & East Tennessee:

U.S. Army Corps of Engineers

Attention: Mr. Ron Gatlin, Chief
Regulatory Branch
3701 Bell Road
Nashville, TN 37214
615/369-7500

For West Tennessee:

U.S. Army Corps of Engineers

Attention: Larry Watson, Chief
Regulatory Function Branch
167 N. Main St, B-202
Memphis, TN 38103
901/544-0736

Required for All Applications:

Division of Remediation

Attention: Andy Binford
4th Floor, L & C Tower
401 Church Street
Nashville, TN 37243
615-532-0911

Required for All Applications:

Division of Underground Storage Tanks

Attention: Stan Boyd
4th Floor, L & C Tower
401 Church Street
Nashville, TN 37243
Contact: Cheryl White
615-532-0963

In addition, an original and four copies of the topographic quad map(s) clearly indicating the entire proposed route of the trail project or park boundary must be submitted with the application. If photocopied, be sure that the name/title of the quad map(s) is indicated.

If the proposed project in any way affects a watercourse, its 100-year floodplain or any lake, pond, reservoir, swamp, marsh, or wetland, the project applicant must secure a Section 404 permit from the U.S. Army Corps of Engineers (listed above). A state Aquatic Resource Alteration Permit (ARAP) from the Division of Water Pollution

Control may also be required. For information on state permit requirements, contact the Department of Environment and Conservation at 1-888-891-TDEC.

It is the applicant's responsibility to secure any required environmental and/or construction permits (local, state or federal) prior to project construction. Separate documentation must be provided for EACH individual project site.

The TDEC permit website address is:

<http://www.state.tn.us/environment/permits/whoami.htm> . This website provides a list of permits required for specific development projects. Applicants should refer to this site when trying to determine if their proposed project will require a state environmental permit. **Note: Federal and local permits may also be required. This site also provides information on how to apply for a permit.**

Federal agencies only (U.S.F.W., TVA, NPS, and COE) may use a current Environmental Impact Statement.

Environmental Clearance Letters

Agency	Grantee has sent letter to this Agency	Clearance given by Agency	Concern noted by Agency
Division of Remediation-All grant applications.			
Division of Underground Storage Tanks-All grant applications.			
Tennessee Historical Commission-LWCF and RTP only.			
U.S. Fish & Wildlife Service-LWCF and RTP only.			
U.S. Army Corps of Engineers-All projects that involve or are near a wetland or waterway.			

List of Agencies

For more information about using native plants, safety, building codes, underground storage tanks, etc., that concern your project, contact:

Division of Archaeology
Attention: Mr. Nick Fielder
Cole Building #3
1216 Foster Avenue
Nashville, TN 37210
Contact: Mr. Michael Moore
(615) 741-1588, extension 20

Underground Storage Tanks
4th Floor, L & C Tower
401 Church Street
Nashville, TN 37243-1541
(615) 532-0945
Contact: Cheryl White
615-532-0963

Division of Natural Heritage
Attention: Mr. Reggie Reeves
14th Floor, L & C Tower
401 Church Street
Nashville, TN 37243-1538
Contact: Mr. Roger McCoy
(615) 532-0437

Division of Remediation
4th Floor, L & C Tower
401 Church Street
Nashville, TN 37243-0447
(615) 532-0911
Contact: Mr. Andy Binford

Tennessee Exotic Pest Control Council
P.O. Box 40692
Nashville, TN 37204
(615) 646-5292

Southern Building Codes
900 Montclair Road
Birmingham, Alabama 35213
(800) 877-2224

Life Safety Codes
National Fire Protection Association
(617) 770-3000, or, (800) 344-3555

Handicapped Code
Public Building Accessibility Act
North Carolina Handicapped Code (TN adopted this)
(919) 733-3901

Consumer Product Safety Commission
Washington, D.C. 20207-0001
<http://www.cpsc.gov/>

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ENVIRONMENTAL SURVEY

This survey is a requirement for federally funded programs. Where adverse or negative impact is indicated, additional information will be required for mitigation. For projects selected for funding and submitted to FHWA, the Department of Environment and Conservation will verify the accuracy of this information and compliance with appropriate state and federal regulatory agencies to meet the requirements of the National Environmental Policy Act (NEPA). *[If the applicant is submitting more than one project, then this form should be duplicated and completed for each individual site separately.]*
Failure to provide complete and accurate information may result in rejection of the project.

1. Project Name: _____
2. Land Use:
 - a) Please provide a detailed description of how the trail will be constructed, the design of the trail (include surface type, width, length), special features including any bridges, and proximity to environmental features (stream crossings, wetlands, forested areas, open field, etc.). Describe in detail the project area including topography, historic land usages, and unique geologic features. Attach a land use map of the area if available, and 1 USGS topographic map, with topographic map name, with legend, clearly showing project location and boundaries. The documents should be of sufficient size and clarity for adequate interpretation of applicant's intentions.
 - b) Is the project consistent with comprehensive land use, management or development plans for the area? ____Yes ____No ____Not Sure
Name of plan: _____
3. Natural Resources: Describe how the proposed project will impact the following?
 - a) Soil Erosion or Sedimentation
 - b) Vegetation (noxious weeds)
 - c) Streams, Rivers or Lakes
 - d) Wetlands
 - e) Floodplains
 - f) Farmlands
 - g) National Natural Landmarks
 - h) Endangered Plants and/or Animals
 - i) Wildlife and/or Wildlife Habitat
4. Historic and Archaeological Resources:
 - a) Has the project been reviewed by the Tennessee Historic Commission?
____Yes ____No If yes, attach Commission comments

b) Will the project have an effect on historic or archaeological resources?

___ **Yes**

___ **No**

___ **Not Sure**

5. Hazardous Wastes – Is there any potential for involvement with hazardous wastes or underground storage tanks? ___ **Yes** ___ **No** ___ **Not Sure**

6. Noise – Is there potential for the project to have a noise impact on the surrounding land uses? ___ **Yes** ___ **No**

7. Air Quality – Will the project have an adverse impact on air quality? ___ **Yes** ___ **No** If yes, explain.

8. Is the project located on a publicly owned park, recreation area, historic site or wildlife and waterfowl refuge? ___ **Yes** ___ **No**

a) If yes, mark the appropriate box and name the facility.

___ Park or ___ Recreation Area _____

___ Historic Site _____

___ Wildlife/Waterfowl Refuge _____

9. Permits Required:

Section 404 Permit - Wetland (Corps of Engineers) ___ **Yes** ___ **No**

Aquatic Resource Alteration Permit (TDEC) ___ **Yes** ___ **No**

Tennessee Valley Authority Section 26a Permit ___ **Yes** ___ **No**

Local Permits ___ **Yes** ___ **No**

10. Describe methods to be employed to reduce adverse impacts from construction or use, such as noise, dust generation, soil erosion and siltation.

TO BE COMPLETED BY PROJECT APPLICANT

Any response that signifies impacts (significant or minimum) may require additional information. On additional pages provide information, as necessary, to assess the potential impacts. Attach additional documentation if applicable.

Prepared by: _____ Date: _____

Title of Preparer: _____

Signature of Preparer: _____

Preparer's e-mail address: _____

Signature: _____

(Applicant's Signature, usually Mayor or County Executive or Agency Director if State or Federal Application)